

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PRESI ORTEGA, JR.
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

PROPOSED AGENDA FOR REGULAR COUNCIL MEETING, COUNCIL CHAMBERS APRIL 12, 2005 9:00 A.M.

ROLL CALL

Invocation – Police Chaplain Carlos Flores
Pledge of Allegiance

REGULAR AGENDA

1. Discussion and action: The Coalition asks the Mayor and Council members for (1) reaffirmation of their Proclamation denouncing violence against women, and (2) permanent removal of Mr. Cushing from all committees and decisions on law enforcement and women.
[Irasema Coronado, Co-Chair, Coalition Against Violence toward Women and Families at the Border]
2. We would like to have the Mayor and Council reconsider decisions made regarding the CDBG funding recommendations for the 31st year due to irregularities that are not fair to several applicants for these monies.
[Marina Rios, Bacilli Valenzuela, and the San Juan Senior Citizen Center members]

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members or persons in the audience. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA

3. **APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]
Approval of Minutes for Regular City Council Meeting of April 5, 2005.
4. **REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

5. RESOLUTIONS:

5A. That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"); Superior Aviation Fuel Enterprises, Inc. ("Assignor"); Trajen Flight Support, LP (Assignee"); and Trajen Holdings, Inc. ("Guarantor") with regard to the Fuel Site Lease Agreement effective July 1, 2003, covering the property described as a portion of Lot 1, Block 1, Butterfield Trail Aviation Park, Unit One, El Paso County, Texas, consisting of approximately 71,429 square feet of land adjacent to the new Air Cargo Facility located at 301 George Perry Blvd., El Paso, Texas.

(District 3) [Airport, Patrick T. Abeln, (915) 780-4724]

5B. That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"); Superior Aviation Fuel Enterprises, L.L.C. ("Assignor"); Trajen Flight Support, LP (Assignee"); and Trajen Holdings, Inc. ("Guarantor") with regard to the Commercial Aviation Fixed Base Operators Lease dated February 28, 1989 covering the property described as a portion of Section 31, Block 80, Township 2, Texas & Pacific Railroad Surveys, and a portion of Tract 4A, Block 2, Ascarate Grant, City of El Paso, El Paso County, Texas, commonly known as 6775 Convair Road, El Paso, Texas.

(District 3) [Airport, Patrick T. Abeln, (915) 780-4724]

5C. That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"); Superior Aviation Fuel Enterprises, L.L.C. ("Assignor"); Trajen Flight Support, LP (Assignee"); and Trajen Holdings, Inc. ("Guarantor") with regard to the Fixed Base Operators Lease Agreement effective September 1, 2003, covering the property described as a parcel of property known as Site 3, El Paso International Airport Tracts, Unit 11, El Paso County, Texas, containing 435,542.892 square feet of land and municipally known and numbered as 1751 Shuttle Columbia Drive, El Paso, Texas. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

5D. That the City Manager be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor"); Superior Aviation Fuel Enterprises, L.L.C. ("Assignor"); Trajen Flight Support, LP (Assignee"); and Trajen Holdings, Inc. ("Guarantor") with regard to the Fuel Site and Facility Lease dated June 1, 1998, covering the property described as the East 40 feet of Lot 33, and all of lot 34, Block 4, El Paso International Airport Tracts, Unit 1, and Lot 35, Block 4, El Paso International Airport Tracts, Unit 1, City of El Paso, El Paso County, Texas, and municipally known and numbered as 7623 and 7625 Boeing Drive, El Paso, Texas. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

5E. That the Mayor and City Council approve the Public Art Master Plan, attached as Exhibit "A", and incorporated for all purposes as set forth verbatim "the Plan" is hereby approved and adopted as the primary guideline to be utilized in all public art programs and;

That the plan shall be the primary guideline utilized in determining and appropriating expenditures from the public art fund; and

That City Council authorize the City Manager or her designee to negotiate with

the appropriate parties to allow the City to fund, implement and participate in the Public Art Master plan. Funding Source: Fund 60650; Dept ID 55260001; Project PPWARD03001. **(All Districts)** [Arts and Culture, Betty Jaraba, (915) 541-4896]

- 5F.** That the City Manager be authorized to sign a Contract of Sale between the CITY OF EL PASO and LUZ D. ACOSTA for the purchase of a portion of Lot 14, Block 2, Hueco View Acres, an Addition to the City of El Paso, El Paso County, Texas, (.069 acre) for the Edgemere Extension Project.

This item is funded through FY 2003 CO's and no budgetary adjustments are necessary. Funding source is as follows: Project PPWST03022, Fun 60633, Department 31260001, Account 508000. **(District 5)**
[Building and Planning Services, Patricia D. Adauto, (915) 541-4853]

- 5G.** 1. That the El Paso City Council approves the following list of streets as project priorities under "Unpaved Rights-of-way" (Citywide) project as required by Proposition No. 3 of the Feb. 7, 2004 General Obligation Bond Election.

- a. Chariot Way from Mesita Drive to Dead End **(District 1)**
- b. Coates Drive from Coates Booster to 325 Coates **(District 1)**
- c. Ethel Road from Medano Drive to 5772 Ethel **(District 1)**
- d. Geiger Avenue from Ascarate Street to Tangier Place **(District 3)**
- e. Colfax Street from Gateway East to Dead End **(District 3)** and;

2. That any remaining funds be used for the purchase of right-of-way for unpaved right-of-way projects on the following project priority list.

- a. Annie Road from Ethel to 325 Annie Rd. **(District 1)**
- b. Johannsen Road from Coates to Dead End **(District 1)**
- c. Lee Shannon from 840 to 860 Lee Shannon **(District 1)**
- d. Pheasant Road from Sun Valley to Dyer **(District 4)**
- e. Cana Drive from Candelaria to Dead End **(District 6)**

[Building and Planning Services, Patricia D. Adauto, (915) 541-4853]

- 5H.** That the El Paso City Council approves Attachment "A" as the Project priorities under the Unpaved Rights-of-Way (District 2) project as required by Proposition No. 3 of the Feb. 7, 2004 General Obligation Bond Election. **(District 2)**

[Building and Planning Services, Patricia D. Adauto, (915) 541-4853]

- 5I.** That the El Paso City Council approves Attachment "A" as the Project priorities under the Unpaved Rights-of-Way (District 8) project as required by Proposition No. 3 of the Feb. 7, 2004 General Obligation Bond Election. **(District 8)**

[Building and Planning Services, Patricia D. Adauto, (915) 541-4853]

- 5J.** That the Mayor be authorized to sign a Joint Powers Agreement by and between the CITY OF EL PASO and the STATE OF NEW MEXICO, acting by and through the New Mexico Department of Transportation, for a project known as "Sunland Park Extension".

Funding Source: PWST03016 14200403 29151 2004 bond election, PPWST03016 31255002 27706 Federal funds, PPWST03016 14150086 27709 private donation **(District 8)**

[Building and Planning Services, Patricia D. Adauto, (915) 541-4853]

- 5K.** That the City Manager be authorized to sign a First Amendment to an Agreement for Engineering Services by and between the CITY OF EL PASO and MORENO CARDENAS, INC., for a project known as "Carlson/Elliot Pump Station" in an amount not to exceed FIFTY-TWO THOUSAND EIGHT HUNDRED TEN and NO/100 DOLLARS (\$52,810.00). This item will be funded by 2004 Bond Issue Project funds. Account #14200402/PBE04FC10229112/508016/508027. **(District 7)** [Engineering, Irene Ramirez, (915) 541-4431]
- 5L.** That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of ASSISTANT DIRECTOR OF PARKS AND RECREATION is hereby created as specified in the duties and responsibilities attached hereto. The Code is 5158. The Grade is EX E. Amendment is subject to the concurrence of the Civil Service Commission. Salary Range: \$67,421.27 - \$106,034.39 (EX E)
Fund Source: 51010214-01101-51000
[Human Resources, Terry Bond, (915) 541-4509]
- 5M.** That the Mayor be authorized to sign an Interlocal Governmental Agreement between the City of El Paso and the County of El Paso / District Attorney, 34th Judicial District of the State of Texas, for services to the City and its Police Department relating to arrests and prosecution of cases in connection with the District Attorney's Information Management System and program from September 1, 2004 through August 31, 2005, in an amount not to exceed \$380,042.00. Funding Source: General Funds, Account #21010050-01101-502217. [Police Department, Assistant Chief Paul Cross, (915) 564-7310]
- 5N.** That Manuel Moreno be appointed to the Board of Directors of the Industrial Development Authority, Incorporated, effective as of the date hereof, on behalf of Representative District 4. [Representative John F. Cook, (915) 541-4140]
- 5O.** That the City Manager be authorized to sign a Termination and Release Agreement between the City of El Paso and El Paso Council of Garden Clubs f/k/a El Paso Garden Clubs, Inc, which will terminate a lease entered into by the City and the Garden Clubs, on May 27, 1980 and provide that all improvements on the leased premises be donated to the City. [Streets, Daryl Cole, (915) 621-6750]
- 6.** Notice to set a public hearing to be held on May 10th, 2005 to determine if the property located at 2002 Detroit Avenue in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated December 19th, 2004. The owner of record as of March 3rd, 2005, Lupe G. Avina, 1612 Bernard Kern Drive, El Paso, Texas 79936-5602, has been notified of the violations at this property. **(District 8)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 7.** Notice to set a public hearing to be held on May 10th, 2005 to determine if the property located at 1300 E. Paisano Drive in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated April 3rd, 2002. The owner of record as of March 2nd, 2005, Meats, Inc., 1300 E. Paisano Drive, El Paso, Texas 79901, has been notified of the violations at this property. **(District 8)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

8. Request to fill position on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Customer Accounts Tax Clerk II (1)
 Fund Source: 06010022-01101-06000
 [Tax Office, Juan Sandoval, (915) 541-4369]

9. Request for provisional appointment in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

Communications Dispatcher II (1)
 Fund Source: 62620002-40101-62000
 [Airport, Patrick T. Abeln, (915) 780-4724]

10. **STAFFING TABLE CHANGES:**

10A. Parks & Recreation

Add	1.00	Assistant Director of Parks & Recreation	EX E
Delete	1.00	Assistant Director of Parks & Recreation	C
Fund Source: 51010214-01101-51000			
[Parks & Recreation, Norman Merrifield, (915) 541-4331]			

10B. Zoo

Delete	1.00	Horticulturist	PM 76
Add	1.00	Park Area Supervisor	GS 22
Delete	1.00	Volunteer Coordinator	C
Add	1.00	Zoo Veterinarian Assistant	GS 14
Add	1.00	Zoo Keeper	GS 12
Fund Source: 52010245-15445-52000			
[Zoo, Lea Hutchinson, (915) 521-1850]			

10C. Comptroller

Add	1.00	Accountant II	PM 75
Delete	1.00	Accountant I	PM 72
Fund Source: 05010017-01101-05000			
[Comptroller, Carmen Arrieta-Candelaria, (915) 541-4293]			

11. Hughes Butterworth, Jr. to the Tax Advisory Committee.
 [Representative Presi Ortega, Jr., (915) 541-4189]

12. **BOARD RE-APPOINTMENT:**

Belen Robles to the History Museum Board as requested by Mayor Pro Tempore Anthony W. Cobos, District 8. [Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123]

13. BOARD APPOINTMENTS:

- 13A.** Daniel De La Haye to the Historic Landmark Commission by Representative Robert A. Cushing, Jr., District 2. [Representative Robert A. Cushing, Jr., (915) 541-4416]
POSTPONED FROM 03/29/05, 03/15/05 AND 03/08/05
- 13B.** Bobby Van McKnight to the Arts and Culture Advisory Board by Representative Paul J. Escobar, District 6. [Representative Paul J. Escobar, (915) 541-4182]
- 13C.** Michael E. Breitingner to the International Bridge Commission by Representative Vivian Rojas, District 7. [Representative Vivian Rojas, (915) 541-4108]

14. RESIDENTIAL STREET LIGHT: Approve installation, power, and maintenance of residential street light at the following location:

Between 117 & 121 Keeney Ct. Cost: \$1,398.00 (District 7)
Dept ID#01153010, Acct#504420, Fund #16507
[Representative Vivian Rojas, (915) 541-4108]

15. Request that the City Manager be authorized to exercise the City's option to extend the term of the agreement for two additional years, from April 15, 2006 to April 15, 2008 pursuant to the provisions of Contract 2003-119 with C & R Distributing, Inc., El Paso, Texas for Hydraulic Oil, Grade 32.

Option No.: ONE [OF ONE]

Amount of Award: \$80,000.00.(total two year extension)
Account No's: 37370155-503121-45202
Funding Source: Fleet Service Internal Service Fund
Department: Fleet Service
[Purchasing, Jesus M. Juarez, (915) 541-4317]

16. BEST VALUE PROCUREMENT:

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

Solicitation No.: 2005-115 Security Guard Services for City Municipal Building
Award to: Ruiz Protective Services, Inc.
El Paso, TX
Item (s): All
Amount: \$164,000.00 (estimated yearly)
Department: Fleet Services-Facility Services
Funds available: 31010326-01101-502212
Funding source: Operating Account, Fleet Services
Facility Services, Contract
Total award: \$492,000.00 (estimated)
District (s): 8

Fleet Services, Building Maintenance and Purchasing recommend awards as indicated, as this vendor is the lowest responsive bidder providing the Best Value to the City.

This is a thirty-six (36) month contract with the bidder offering the option to extend the

term of this contract for two additional years. No Prompt Payment Discount offered.
[Purchasing, Ray Heredia, (915) 541-4316]

17. BUDGET TRANSFERS:

17A. BT2005-897 PARKS & RECREATION

This budget transfer requests a new appropriation to refurbish the marquee and monument at the Wellington Chew Senior Center. The Wellington Chew Senior Center Bingo Committee donated this money and this recognizes the revenue.

(District 2)

Increase	\$2,277	to	51510214/P50022316323/405060	Est Rev
Increase	\$2,277	to	51510214/P50022316323/508003	Bldg Imprvm

[Office of Management and Budget, David Almonte, (915) 541-4011]

17B. BT2005-899 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$15,215 for traffic signal modifications of driveway and signal at Zaragosa and Don Haskins. Funding source is AMEX Properties, LLC. **(District 6)**

Increase	\$15,215	to	31255015/PPW005227691/405067	Rmbs Exp
Increase	\$ 2,036	to	31255015/PPW005227691/508050	Design
Increase	\$13,179	to	31255015/PPW005227691/508027	Construction

[Office of Management and Budget, David Almonte, (915) 541-4011]

17C. BT 2005-930 MAYOR AND COUNCIL

Representative Rojas, on behalf of District 7, proposes to transfer \$50,000 from capital outlay funding for District 7 to a new project for swing installations in District 7 parks. Funding source is capital outlay District 7. **(District 7)**

Decrease	\$50,000	from	04102010/P540010CTY27503/508000	Land
Increase	\$50,000	to	04102010/PPA0500327503/508027	Construction

[Representative Vivian Rojas, (915) 541-4108]

18. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

18A. Rotary Club of West El Paso to hold an Annual Independence Day parade on July 4, 2005 from 9:00 a.m. to 10:30 a.m. Route: Start at Western Hills Methodist Church at 530 Thunderbird, proceed on Thunderbird to Shadow Mountain, turn left on Shadow Mountain to Mesa, turn right on Mesa, proceed on Mesa to Champions Pl, turn right on Champions Pl and finish at the Coronado High School parking lot at 100 Champions. Approximately 1,500 persons, 50+ vehicles, 50+ animals will take part and 1,500 spectators are anticipated.

PERMIT NO. 05-024 [Rick Lobello] **(District 1)**

NO OBJECTIONS FROM FIRE, SUN METRO, AND TRAFFIC ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 30 OFFICERS AND 30 VEHICLES. ESTIMATED COST TO CITY \$426.00; ESTIMATED COST TO APPLICANT \$2,574.00. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 18B.** Indian Ridge Middle School to hold a walk for Diabetes on May 6, 2005 from 9:15 a.m. to 10:30 a.m. Route: Start at Indian Ridge Middle School on Pebble Hills, proceed on Pebble Hills to Running Deer, turn left on Running Deer to Quintana Dr., turn left on Quintana Dr., to Risner, turn left on Risner to Edgemere Blvd., turn left on Edgemere Blvd., to Seabrook, turn right on Seabrook to Ivanhoe, turn right on Ivanhoe to Matagorda, turn left on Matagorda and finish at Indian Ridge Middle School parking lot. Approximately 550 persons will take part and 50 spectators are anticipated. Permit #05-027 [Veronica Murga]

(District 5)

No objections from Sun Metro and Traffic/Engineering. No response from Fire as of April 4, 2005. The El Paso Police Department has no objections with this event. The Department will police the event with 6 officers and 6 vehicles. Estimated cost to city: \$291.00 Estimated cost to applicant: \$159.00. The office of Building Permits & Inspections recommends approval.

- 18C.** Arthritis Foundation to hold a 5K walk on April 16, 2005 from 8:00 a.m. to 12:00 p.m. Route: Jogging path at Nations Park, located at 8831 Railroad Dr. Approximately 300 persons, 200 vehicles, 75 animals will take part and 100 spectators are anticipated. This request includes permission to use amplification (1 p.a. system, 1 speaker and 1 microphone). Permit #05-028 [Shawn Abel]

(Districts 2 and 4)

No objections from Fire, Sun Metro, Parks and Traffic/Engineering. The El Paso Police Department has no objections with this event. The Department will monitor the event as necessary with the district car. There will be no cost to city or applicant. The office of Building Permits & Inspections recommends approval.

REGULAR AGENDA

19. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

- 19A.** An Ordinance authorizing the City Manager to sign a Special Warranty Deed conveying to Tropicana Development Inc., land totaling approximately 117.5 acres of land out of Sections 21 & 22, Block 81, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas, located in Northeast El Paso. **(District 4)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]

- 19B.** An Ordinance authorizing the City Manager to sign a Special Warranty Deed conveying to Tropicana Development Inc., land totaling approximately 120.7 acres of land out of Section 22, Block 81, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas, located in Northeast El Paso. **(District 4)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]

- 19C.** An Ordinance authorizing the City Manager to sign a Special Warranty Deed conveying to EPT Land Assets, LP, Land totaling approximately 122.2 acres of land out of Section 21, Block 81, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas, located in Northeast El Paso. **(District 4)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]

- 19D.** An Ordinance authorizing the City Manager to sign a Special Warranty Deed conveying to EPT Land Assets, LP, land totaling approximately 100.5 acres of land out of Section 21, Block 81, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas, located in Northeast El Paso. **(District 4)** [El Paso Water Utilities, Robert D. Andron, (915) 594-5506]
- 19E.** An Ordinance authorizing the City Manager to sign a Contract of Sale and any other necessary documents between the City of El Paso and the Humane Society of El Paso, Inc. which will allow for the City to convey property commonly known as 211 and 325 Shelter Place, El Paso, El Paso County, Texas, including the improvements thereon. **(District 3)**
[Financial and Administrative Services, Gonzalo Cedillos, (915) 541-4074]
- 19F.** An Ordinance granting a Special Privilege to Keith Mahar to temporarily close a portion of Mills Avenue between Stanton Street and Kansas Street on Saturday, April 30, 2005 and Sunday, May 1, 2005 for "The First Annual Downtown Sports Bar & Grill Block Party". (Fee: \$50.00, SP-05004) **(District 8)**
[Planning, Research and Development, Esther Guerrero, (915) 541-4720]
- 19G.** An Ordinance amending Title 19 (Subdivisions) of the El Paso Municipal Code by amending Chapters 19.16 (Improvement Standards and Design Principles) Section 19.16.020 (Streets) Subsection 19.16.020.P (Vehicular Access) to provide certain assurances to a subdivider who has offered to dedicate more land than the City is willing to accept. The penalty is as provided in Section 19.04.190 of the Code.
[Planning, Research & Development, Rudy Valdez, (915) 541-4635]
- 19H.** An Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by adding a defined use at Section 20.02.078 (Animal Crematory) and amending Sections 20.10.040, 20.38.040, 20.40.040 & 20.42.040 (Uses Permitted By Special Permit) to provide that such use be permitted by Special Permit in R-F, C-2, C-3 and C-4 zoning district classifications; and by adding a defined use at Section 20.02.258 (Crematory) and amending Sections 20.38.040, 20.40.040 & 20.42.040 (Uses Permitted By Special Permit) to provide that such use be permitted by special permit in C-2, C-3 and C-4 zoning district classifications. The penalty is as provided in Chapter 20.68 of the City of El Paso Municipal Code. Applicant/Representative: Planning, Research & Development Dept., City of El Paso, #2 Civic Center Plaza, El Paso, TX 79901 **(Districts 1-8)**
[Planning, Research and Development, Kimberly Forsyth, (915) 541-4631]
- 19I.** An Ordinance granting a Special Privilege authorizing the temporary closure of San Antonio Street between Stanton Street and Kansas Street in front of Calendar Park for a City sponsored downtown "Gone To Lunch" Concert Series and events on April 29, 2005, May 6, 2005, May 13, 2005, May 20, 2005, May 27, 2005 and June 3, 2005. [Planning, Research and Development, George Sarmiento, (915) 541-4193]

PUBLIC HEARING WILL BE HELD ON APRIL 26, 2005 FOR ITEMS 19A – 19I

- 19J.** An Ordinance granting Special Permit No. ZON05-00009, to allow for a parking reduction on the property described as the Southerly 61.10 feet of Lot 16 and the Easterly ½ of Lot 15, Block 13, Cotton Addition, El Paso, El Paso County, Texas, pursuant to section 20.64.175 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicants: Patricia B. Park and Richard L. Park. ZON05-00009 **(District 8)**
[Planning, Research & Development, Christina Valles, (915) 541-4930]
- 19K.** An Ordinance granting Special Permit No. ZON05-00012, to allow for a nine-tank gasoline, diesel, and jet fuel storage facility and pipeline transfer station on a portion of Tract 5D, Section 21, Block 80, Township 1, Texas and Pacific Railway Company Surveys and a portion of Tract 1, Section 28, Block 80, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas pursuant to Section 20.46.040.F of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: SFPP, LP. **(District 4)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 19L.** An Ordinance changing the zoning of a portion of Lot 4, Block 160, Vista Del Sol Unit 54, El Paso, El Paso County, Texas from P-I (Planned Industrial) to C-3 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Texas M, LLC. ZON05-00007 **(District 7)**
[Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 19M.** An Ordinance changing the zoning of portion of Lot 1, Block 160, Vista Del Sol Unit 54, El Paso, El Paso County, Texas from P-I (Planned Industrial) to C-4 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Jose R. and Kathryn Cordero. ZON05-00013 **(District 7)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]

PUBLIC HEARING WILL BE HELD ON MAY 3, 2005 FOR ITEMS 19J – 19M

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

20. MAYOR AND COUNCIL:

- 20A.** Discussion and action to direct staff to draft an agreement with the Central Business Association for the development of the Downtown "Gone to Lunch" Concert Series. [Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123]
- 20B.** Discussion and action regarding the City's stance on the allowing of contracts for programs, presentations, expos, and other related venues that are of a sexually-oriented nature in City-owned facilities, to include the Judson S. Williams III Convention Center, also referred to as the El Paso Civic Center.
[Representative Vivian Rojas, (915) 541-4108 and Representative Jose Alexandro Lozano, (915) 541-4515]

21. CITY ATTORNEY:

Discussion and action authorizing the City Attorney or her designee to negotiate and enter into contracts with outside counsel to represent the City of El Paso in connection with the City's efforts to collect from Asarco the costs of remediating the El Paso metals site. [City Attorney's Office, James A. Martinez, (915) 541-4550]

22. ENGINEERING:

Discussion and action on a Resolution that the City Manager be authorized to sign an Agreement for Consulting Services by and between the CITY OF EL PASO and SLI ENGINEERING, INC., for surveying services for a period of two years in an amount not to exceed ONE MILLION DOLLARS (\$1,000,000.00). **(Citywide)**
[Engineering, Irene Ramirez, (915) 541-4431]

23. PURCHASING:**23A. BID:**

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

Solicitation No.:	2005-099	Wenda Way Street and Drainage Improvements
Contractor:		Southwest Growth Corporation
		El Paso, Texas

Department:	Street
Funds Available:	14200403-PBE04ST141-29157-508027
Funding Source:	2004 Bond Election
Items:	Base Bid I \$618,954.80
	Base Bid II \$ 65,700.00
	Base Bid III \$144,000.00
Total Award:	\$828,654.80 (Estimate)
District (s):	7

RECOMMENDATION:

The Departments of Engineering and Streets recommend the award of this contract to Southwest Growth Corporation, the low responsible, responsive bidder. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

Work under the unit price component is only an estimated value and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term. [Purchasing, Barbara Crumley, (915) 541-4113]

23B. BEST VALUE PROCUREMENT:

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

Solicitation No. 2005-129 Ground Maintenance for El Paso City Parks-Mowing
Award to: Vendor 1: Martinez Irrigation & Landscapes Inc.

El Paso, Texas
Central Group 2, 3, 5, 6
Eastside Group 1 through 8
Lower Valley Group 1, 3, 5,
Northeast Group 1, 2, 5
Northwest Group 3, 4, 5

Award Amount \$286,629.00 (estimated yearly)

Award to: Vendor 2: Ledesma's
El Paso, TX
Central Group 4
Lower Valley Group 2, 4, 6
Northeast Group 7, 8

Award Amount \$95,739.15 (estimated yearly)

Award to: Vendor 3: EPDS
El Paso, TX
Northeast Group 3, 4, 6, 9, 10
Northeast Group 2

Award Amount: \$ 34,678.20 (estimated yearly)

Total Award Amount: \$417,046.35 (estimated yearly)

Department: Parks & Recreation
Funds available: 51010262-01101-502221
Funding source: General Funds, Ground-keeping,
Horticultural Contracts

Total award: \$1,251,139.05 (estimated)

District (s): All

Parks & Recreation Department and Purchasing recommend awards as indicated as this vendor has provided the Best Value Bid meeting all criteria.

This is a thirty-six (36) month contract with the option to extend the term of this contract two (2) additional years. Additionally, Ledesma offers a 10% 10 days prompt payment discount and EPDS offers a 2% 10 days prompt payment discount. [Purchasing, Ray Heredia, (915) 541-4316]

23C. Request that the Director of Purchasing be authorized to issue Purchase Order(s) to Motorola, Inc. in the amount of \$522,409.35 for the purchase of Motorola XTL5000/W5 Control Head and accessories. Reference sole sources item approved by Mayor and Council on December 7, 2004. Motorola Inc. is the sole manufacturer of Mobile/Portable Radios and Express Service Plus Plan. Motorola can provide factory warranties for these products, and can provide factory level maintenance. The City of El Paso has existing service contracts with Motorola for these products. These product are critical to the operation of the City's Public Safety Trunked Radio Communications System. This is a sole source procurement

as defined under Section 252.022 of the Local Government Code.

Additional, it is requested authorization for City staff to negotiate, City Attorney's Office to review, and the City Manager be authorized to execute any related contract documents and agreements necessary during the contract.

Award Amount: \$522,409.35

Funds Available: 04200401-29209-508006 Public Safety, Capital Acquisition,
Vehicular Equipment

Department: Police

[Purchasing, Ray Heredia, (915) 541-4316]

24. PUBLIC HEARINGS – MAYOR AND COUNCIL:

24A. An Ordinance amending Title 19 (Subdivisions) of the El Paso Municipal Code by amending Chapter 19.16 (Improvement Standards and Design Principles) Section 19.16.050 (Stormwater Design) Subsection 19.16.050.H (Preservation of Natural Arroyos) to require that the City Plan Commission determine whether to approve a modification of conditions to allow improvements on natural drainage courses known as arroyos. The penalty is as provided in Section 19.04.190 of the Code. [Representative Susan Austin, (915) 541-4886]
POSTPONED FROM 03/15/05 and 03/01/05

24B. An Ordinance amending Title 3 (Revenue and Finance) of the El Paso Municipal Code, Chapter 3.04 (Property Taxes) by amending Section 3.04.040 (Exemption – Residence Homestead) to increase the Ad Valorem Property Tax Exemption for individuals who qualify under the current Code.
[Representative Robert A. Cushing, Jr., (915) 541-4996]

25. PUBLIC HEARINGS – BUILDING PERMITS AND INSPECTIONS:

25A. Public hearing to determine if the property located at 5763 Alameda Avenue (Rear of store and rear apartments), in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated August 16th, 2004. The owner of this property, Gerardo Aguirre, 9850 Staubach Drive, El Paso, Texas 79927, has been notified of the violations at this property.

(District 3) [Building Permits & Inspections, Tom Maguire, (915) 541-4588]
POSTPONED FROM 02/15/05 AND 01/18/05

25B. Public hearing to determine if the property located at 2910 Grant Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated October 2004. The owner of this property, Angel C. Lara, 2910 Grant Avenue, El Paso, Texas 79930, has been notified of the violations at this property. **(District 2)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

26. PUBLIC HEARINGS – CITY MANAGER:

- 26A.** An Ordinance repealing Ordinance No. 15893, granting the authority to the City Manager or the Department Head to enter into and sign certain Personal, Professional, Independent and Volunteer Service Contracts on behalf of the City and to create a new Ordinance on the same subject.

[City Manager, Joyce A. Wilson, (915) 541-4844 and City Attorney's Office, Elaine Hengen, (915) 541-4550] **POSTPONED FROM 03/15/05**

- 26B.** An Ordinance granting the authority to the City Manager or his or her designee to make provisional and temporary employee appointments in accordance with the El Paso City Charter.

[City Manager, Joyce A. Wilson, (915) 541-4844 and City Attorney's Office, Elaine Hengen, (915) 541-4550] **POSTPONED FROM 03/15/05**

27. PUBLIC HEARING – ENGINEERING DEPARTMENT, TRAFFIC DIVISION:

An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Of The El Paso Municipal Code, To add a subsection identifying the speed limit as Thirty-five Miles per hour on Executive Center Boulevard from Mesa Street North to Paisano Drive. The Penalty as provided in section 12.84.010 Of The El Paso Municipal Code. **(District 8)**

[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

28. PUBLIC HEARINGS – PLANNING, RESEARCH AND DEVELOPMENT:

- 28A.** An Ordinance changing the zoning of portion of Lot 1, Block 146A, Vista Del Sol Unit 52, El Paso, El Paso County, Texas from R-3 (Residential) to C-1 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Desert View United Church of Christ. ZON05-00004 **(District 7)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]

- 28B.** An Ordinance granting a Special Privilege to the Central Business Association of El Paso, Inc., to permit temporary sidewalk vending for participating merchants within certain public rights-of-way in Downtown El Paso from April 13, 2005 through July 3, 2005. **(SP-05003) (District 8)**

[Planning Research and Development, Esther Guerrero, (915) 541-4720]

- 28C.** Discussion and action on a resolution that the El Paso City Council hereby approves the Neighborhood Plan Development Process together with appendices (Exhibit "A") as the appropriate document for identifying, prioritizing, and processing neighborhood plans. **(All Districts)**

[Planning, Research and Development, Verónica Rosales, (915) 541-4633]

- 29.** The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

29A. Discussion and action authorizing the City Attorney or her designee to negotiate and enter into contracts with outside counsel to represent the City of El Paso in connection with the City's efforts to collect from Asarco the costs of remediating the El Paso metals site. (551.071 and 551.072)

[City Attorney's Office, James A. Martinez, (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov>